

Wild Rice Advisory Committee Meeting

April 28, 2015

Schmeeckle Reserve, 2419 Northpoint Dr., Stevens Point, WI 54881

Attendance: Don Kirby (Wisconsin Waterfowl Association), Tracy Hames (Wisconsin Wetlands Association), Bob Willging (USDA), Peter David (GLIFWC), Jane Severt (Wisconsin County Forest Association), Sara Hatleli (Wisconsin Lakes Association), Tom Kerr (UWFWS), Rick Olson (Conservation Congress), Jason Fleener (WDNR), Sam Jonas (WDNR), Ryan Magana (WDNR), Chris Spaight (WDNR), Kelly Crotty (WDNR), Kevin Gauthier (WDNR), Carroll Schaal (WDNR), Keith Patrick (WDNR), Eddie Shea (WDNR), John Gozdziński (WDNR), Shelly Allness (WDNR), Chandra Harvey (WDNR)

Meeting began at 9:30 a.m.

Introductions around the table and sign-in sheet

Jason Fleener

- New Wild Rice Advisory Committee webpage is now accessible (go to WDNR homepage and search for “wild rice advisory committee”)
- Committee Protocols have been updated and posted on this webpage to reflect an updated committee charge statement, which is shorter than the previous version. The succinct nature of the charge statement is consistent with those from other species committees.
- Jason will follow-up with the committee after the meeting with a link directly to the committee’s webpage. This is where the committee can access past meeting notes.

2010 Wild Rice Inventory – Ryan Magana and Peter David

- Ryan was approached by leaders in 2007 to coordinate the inventory project, when he first got his ecologist position in Spooner. Much of the motivation to create the inventory rose from the recognized inadequacies of the list of wild rice waters that was quickly assembled in response to passage of Act 118, which streamlined environmental permit review.
- 2008 was the first year data were collected
- Inventory was an important step for conserving wild rice
- Within the Ceded Territory, data were collected beginning 2008 and 2009 (two field seasons), and the report concluded in 2010.
- Many different data sets were used to compile the inventory, both from the state and tribes; such as historical data, lists of date-regulated lakes, local knowledge, herbarium records, on-the-ground surveys, and aerial surveys.
- Inventory conducted found rice on about 329 water bodies (WBIC), while 139 waters surveyed considered insufficient evidence of rice during the survey. While a very small number of known rice waters that were outside of the Ceded Territory were included in the report (such as Lake

Noquebay), the inventory did not attempt to document rice abundance in the remainder of the state.

Issues & Challenges

- Many different data sources; annual variation in rice productivity; how to map and designate rivers; how to handle historical rice waters; limited amount of time during survey may have missed some waters.
- Stretches of waterways (rivers and streams) are probably the weakest surveyed waters for rice in the inventory
- The 2010 inventory data are not currently being utilized to their full potential
- Since the completion of the 2010 inventory and report, GLIFWC staff have identified approximately 20 additional waters that can be added to the rice list.
- A process needs to be established to formally adopt the inventory and establish a revision process.

Inventory Categories – Classification categories are based on surface area coverage, not density of or numbers of plants. These categories overlap to some degree; and classification is somewhat subjective, but it was hoped that classification would be informative to those unfamiliar with particular waters.

- **Primary Waters:** In years of high abundance, rice has widespread distribution on these waters and is likely the most significant aquatic plant present.
- **Secondary Waters:** Rice has a strong presence on these waters and would be one of the most prevalent aquatic plants present.
- **Tertiary Waters:** On these waters rice has a significant presence but is limited in distribution, perhaps one or two bays. Rice occurring on about 5 percent of lake, usually near inlets and outlets of streams).
- **Present:** Sites where rice is well established but accounts for an even smaller portion of the lake surface when abundant, roughly less than 5%.
- **Trace:** Sites with a very small but persistent presence of rice, usually undetectable from aerial surveys.
- Sites with minimal or no rice, or less than two years of rice data to demonstrate that rice persists on the water body, were not considered rice waters.

Lessons Learned

More years of data would be nice to account for annual variation in rice production, as rice presence and abundance on a water body is often highly variable. Rice distribution and abundance is not static on the landscape, and the inventory would need periodic revision in order to monitor changes over time. A number of waters included in the ACT 118 list were not classified as rice waters in the 2010 inventory.

Areas of Special Natural Resource Importance (ASNRI) and Permitting– Keith Patrick

- ASNRI designation affects the level of review and oversight by the WDNR on waterway activities and can impact DNR department activities
- Designating ASNRI waters (NR 1.05(5)) – Natural Resource Board designates these waters, and NR 10.05(4)(b) requires these wild rice waters (within Ceded Territory) to be identified in an agreement between the state and GLIFWC. These rules stem from State statute 30.01(1am)(c) as areas that possess significant scientific value.
- Wild Rice is a type of ASNRI that is listed under the “Designated Waters” umbrella.
- Certain exemptions do not apply to ASNRI waters in the Ch. 30 permitting process.
- DNR water permitting staff in the Ceded Territory currently use the original list of ASNRI wild rice waters in response to Act 118. These waters currently show up on the Department’s Surface Water Data Viewer. The 2010 inventory is referenced where the rice is located on a particular waterway to help assist permitting staff if a particular project will directly affect the abundance or habitat of wild rice when there is a wild rice “hit” for purposes of complying with the Voigt Task Force consultation.
- A request was made for the committee to see the related Administrative rules and statutes that pertain to ASNRI designations. Jason will follow-up with this after the meeting.

DNR Mapped Wild Rice Waters – Keith Patrick

- Wisconsin Act 118 (jobs creation Act) spurred WDNR, with the assistance of GLIFWC, to identify ASNRI waters (167 waters identified in 2005) after the Act was signed into law in 2004. This process was hurried, not allowing adequate time to survey all rice waters. These are the wild rice waters, associated with a water body identification code (WBIC), that are currently identified on the DNR’s Surface Water Data Viewer (internal and external viewers).
- 2010 – wild rice inventory report found there to be about twice as many wild rice water bodies in the Ceded Territory as the 2005 list. However, about 16 waters that were listed in 2005 as having rice, were not shown to have rice during the inventory that took place between 2008-2010. One of the reasons is that some lake names were historically referenced as having rice, but may have gone by a different local name, or confused with another lake (e.g. Nancy Lake and the Minong Flowage).
- Peter and Ryan distributed a binder of the 2010 wild rice inventory report around the room. Rick requested that this report should be sent to the committee following the meeting. Jason or Kevin will follow-up with that request.
- Committee members including Rick, Don, and Peter requested the Department to update web-mapping tools from the DNR website, with the additional wild rice waters that were identified in the 2010 inventory. They mentioned that the data would have value to serve the public. Kevin and Jason will look into this request with committee sponsors and Legal staff.

Beaver Control on Wild Rice Waters – Jason Fleener and Bob Willging

- USDA Wildlife Services contracts to do most beaver removal for the state
- A WDNR/GLIFWC partnership

- Aerial and ground monitoring is used to determine where beaver control needs to be conducted
- Sam Jonas will transition to coordinate this DNR program, but all of the aerial monitoring will be conducted by GLIFWC. Central office staff will coordinate the contract paperwork once a list of lakes has been agreed upon. DNR staff are unable to commit much time to on-the-ground monitoring in the near future, so the department and partners will need to determine how to address these needs in the future.
- A new beaver management plan will soon be available for public comment. There is a component in the beaver management plan related to wild rice management, which should be reviewed by the wild rice committee.
- Peter suggested that more needs to be done to allow private landowners the ability to remove beaver dams if they are causing high water or damage on wild rice lakes/impoundments. Currently landowners do not have rights to remove a dam that adjoins another landowner's property without their permission, unless the high water is resulting in property damage or crop damage. Wild rice is not considered an agricultural crop. John G. mentioned that some of these laws may be related to Chapter 88 (Drainage of Lands).

Lunch: 12:00 – 12:50

Statewide Wild Rice Management Plan – Kevin Gauthier and John Gozdziński

- Management plan will be a large task, but doable
- Leadership within the WDNR continues to support this effort
- Development of a management plan will be an open, transparent process
- The drafted joint management plan could be used to help develop and inform the statewide plan. This drafted plan was a work in progress within the Joint Chippewa/State Wild Rice Management Committee to focus on wild rice management within the Ceded Territory, however, the state was unable to approve the plan.
- GLIFWC feels it important that the statewide plan be cooperatively-drafted
- Peter distributed ten hard-copies of the drafted joint tribal/state management plan that was in development between 2010-2013
- Peter asked if partners can sign onto DNR management plans. John G. replied that they do not, but all partners that assist in the development of the plan are acknowledged.
- Peter will follow-up with the appropriate GLIFWC and tribal authorities to determine if portions of the drafted joint management plan can be used/incorporated into the statewide plan
- Peter wondered if a management stipulation between GLIFWC and the state would be in order

Process

- Lots of expertise among committee members that should be captured
- Process could involve sub-committees. Rick suggested that any topic experts on the committee should meet more frequently in a sub-committee setting.
- There is a need to gauge committee members ability (time and energy) to work on plan
- The first step is to formulate an outline of the plan; what will the plan look like?

- Jason will follow-up after the meeting with links to other WDNR management plans and the Minnesota document to inspire ideas of the potential format and content of the plan
- Need to develop a timetable for completing the plan (WDNR encourages committee to take as much time as necessary to work with partners on developing the plan – want to get it right)
- Kevin mentioned that the committee can explore the need for a facilitator and/or plan writer. Don mentioned that considering the issues surrounding wild rice at the moment, a facilitator would be a good idea. Rick concurred with that assessment.
- Tracy mentioned that the state needs to be very up-front with the committee about what they are asking of the committee and the challenges at hand
- Need to determine when the public will be involved. Don suggested that the committee should identify the potential components and structure of the plan, then get public feedback on it from the start.
- The plan could focus on both species of wild rice, or at least provide different management strategies for each species, or different management strategies based on different geographic areas.
- Don mentioned that it makes business sense for the state and GLIFWC to try to work out the issue of using content from the drafted joint plan, so that the wheel is not re-invented, and to reduce the amount of time/effort needed by the committee on this project. For example, if 75% of the elements can be utilized from the existing draft, then GLIFWC and DNR should look into this.
- Need for a definitive agreement on the use of the joint draft management plan for use in formulating the statewide plan
- Action – Committee members are to review the drafted joint management plan and send any comments regarding the content to the co-chairs. Jason will request an electronic version from Peter to distribute to the other committee members that did not get a hard copy during the meeting.
- It was stated that there should be more input from other state tribes (i.e. Menominee, Oneida, Potawatomi). Shelly mentioned that the other tribes have been informed of the work of this new Committee, and that a process is in place to work with the other tribes to collect their input and provide updates to them.
- Ryan stated we should look carefully at our process and try to identify any roadblocks or impediments from the start to ensure the process goes smoothly and that we will have good product in the end.
- Rick and Tracy suggested that education needs to be a component within the plan.

Take Home Message

- Committee will need to address goals and intent of the statewide management plan
- Look into a facilitator and/or planner
- Determine the process and opportunities for public input

- Figure out usage of the joint drafted management plan. State and Voigt cooperation is needed first.
- Committee members will look at the joint draft management plan and make notes of any:
 - Components/content that could apply to the statewide plan
 - Missing components that would be relevant in the statewide plan
 - Components to possibly bring into the statewide management plan that need work or editing
 - Questions
- Committee members will review the other Wisconsin DNR wildlife species plans, and the Minnesota wild rice report to get ideas on the components and structure for the statewide wild rice management plan.

Nine Mile Flowage – Jason Fleener

- Beaver controlled system in the past after the dam had been abandoned by WVIC. After the beaver dam washed out (or was removed by man) in 2014, the flowage dried up and only the channel had water in it to support rice. This was traditionally one of the most targeted rice waters in the north.
- WVIC is concerned about any damming of the flowage, as it relates to liability concerns. WVIC has approached the DNR recently, stating that the debris is once again blocking the outlet in 2015.
- Current owners (WVIC) have proposed a land swap or sale with the US Forest Service, but no updates on those negotiations are available at this time.
- If US Forest Service is going to take title of the land surrounding the outlet, a small, low-maintenance dam could be constructed to bring the flowage back up to full pool and promote rice growth once again. Peter mentioned that GLIFWC and possibly other partners could help out with this.

Wild Rice Webpage Update – Eddie Shea

- New webpage is nearly ready to be launched – waiting on review of webpage materials
- New webpage will include a “how to” wild rice video, which will be complete later this summer (August launch)

Other Topics for Discussion

- Jason mentioned that an emergency action plan (EAP) and spillway upgrades are needed for Lower Steve Creek (Price Co.). This waterbody is surrounded by county forest land and has historically had good presence of rice, particularly following seeding efforts. The dam was constructed following an agreement between the state and county in 1958, for the purpose of providing wildlife habitat. The state and county will need to determine which party is responsible for these tasks.

Public Comments

- This meeting was properly publicly noticed, but no members of the public were present during the meeting.

Next meeting to be determined, though possibly in July

- Kevin and Jason will send out information to committee regarding upcoming tasks
- The scheduling of the next meeting date may be contingent upon some of the follow-up tasks that were posed at this meeting
- Rick suggested the Flambeau River State Forest as the next meeting location
- Kevin pointed out that we are still looking for field trip ideas to coincide with future meetings
- Peter suggested that the committee revisits the wild rice inventory issue at the next meeting

Meeting adjourned at 3:20 p.m.